

Memorandum



Date: August 17, 2005

COSHAC

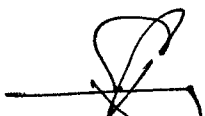
Agenda Item No. 3(O)

To: Honorable Chairman Joe A. Martinez
and Members Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution Authorizing Execution of Restrictive Covenants in Lieu of Unity of Title

The attached item is being placed on the Board of County Commissioners' agenda at the request of Marvin O'Quinn, President/CEO of Jackson Health System.



Deputy County Manager

MEMORANDUM

TO: Honorable Chairperson
Joe A. Martinez
and Members, Board of
County Commissioners

DATE: August 2, 2005

FROM: Marvin O'Quinn
President/CEO
Jackson Health System

RE: Resolution Authorizing Execution
of Restrictive Covenants in Lieu
of Unity of Title

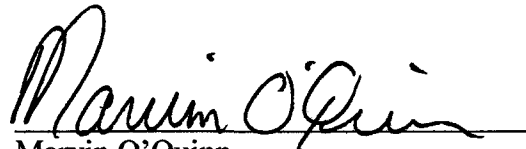
STAFF RECOMMENDATION

The Public Health Trust's Board of Trustees adopted Resolution No. PHT 05/05-115 (copy attached) directing its President to seek Board of County Commission authorization for the County Manager to execute a Declaration of Restrictive Covenants in Lieu of Unity of Title for County real property needed for the University of Miami Miller School of Medicine's Medical Practice Building. The Trust recommends that the Board of County Commissioners adopt this resolution authorizing execution of the Declaration of Restrictive Covenants in Lieu of Unity of Title.

BACKGROUND

The PHT is recommending a 75-year land lease to the University of Miami Miller School of Medicine for the purposes of constructing and operating one or more buildings including a Medical Practice Building. The project would utilize all or part of five parcels of land, three of which are owned by Miami-Dade County and two of which are owned by the University of Miami. Due to the fact there is no unity of title of the parcels, and in order for the parcels to be treated as one for compliance with the City of Miami Zoning Ordinance and for many other purposes including floor to area ratio, setbacks and design review, it is necessary for the County Manager to execute a Declaration of Restrictive Covenants in Lieu of Unity of Title.

This is a companion item to the Resolution authorizing the County Manager or his designee to negotiate and execute a contract with the University of Miami for a 75-year lease for the Miller School of Medicine's Medical Practice Building.



Marvin O'Quinn
President/CEO
Jackson Health System



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez **DATE:** September 8, 2005
and Members, Board of County Commissioners

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE COUNTY MANAGER
TO EXECUTE A DECLARATION OF RESTRICTIVE
COVENANTS IN LIEU OF UNITY OF TITLE FOR COUNTY
REAL PROPERTY NEEDED FOR THE UNIVERSITY OF
MIAMI MILLER SCHOOL OF MEDICINE'S MEDICAL
PRACTICE BUILDING ON THE SOUTH SIDE OF THE
UNIVERSITY OF MIAMI/JACKSON MEMORIAL MEDICAL
CENTER CAMPUS**

WHEREAS, the University of Miami desires to build a University of Miami Miller School of Medicine's Medical Practice Building on real property generally located on the southeast corner of N. W. 15th Street and N. W. 12th Avenue (the "Aggregated Parcel"); and

WHEREAS, the Aggregated Parcel will consist of five separate parcels of real estate, two of which are owned by the University of Miami to wit: Folio Nos. 01-3135-038-0010 and 01-3135-057-0020; and

WHEREAS, three of the parcels are owned by Miami-Dade County and are part of the Public Health Trust's "designated facilities"; and

WHEREAS, one of the County-owned parcels is identified under Folio No. 01-3135-066-0010 and has an Assessed Value of \$4,018,553 of which \$713,514 is the valuation attributed to the land; and

WHEREAS, the Folio No. for the second County-owned parcel is 01-3135-058-0020 and has an Assessed Value of \$1,899,679 of which \$1,087,260 of the valuation is attributed to the land; and

WHEREAS, the University requires only approximately the south 1/3 of the second County-owned parcel; and

WHEREAS, the Folio No. for the third County-owned parcel is 01-3135-057-0030 and has an Assessed Value of \$120,100 of which \$47,958 is attributed to the land; and

WHEREAS, the City of Miami requires the fee simple title holders to enter into a Declaration of Restrictive Covenants in Lieu of Unity of Title for purposes of compliance with all aspects of the Zoning Ordinance of the City without limitations, including floor to area ratio, setbacks, design review standards and parking

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby authorizes the County Manager to execute a Declaration of Restrictive Covenants in Lieu of Unity of Title needed for the University of Miami Miller School of Medicine's Medical Practice Building on the south side of the Jackson Memorial Hospital Campus.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Dr. Barbara Carey-Shuler
Carlos A. Gimenez
Barbara J. Jordan
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of September, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.
Jeffrey Poppel



By: _____
Deputy Clerk

RESOLUTION NO. PHT 05/05 – 115

**RESOLUTION DIRECTING THE PRESIDENT TO SEEK BOARD OF
COUNTY COMMISSIONERS' AUTHORIZATION FOR THE COUNTY
MANAGER TO EXECUTE A DECLARATION OF RESTRICTIVE
COVENANTS IN LIEU OF UNITY OF TITLE FOR COUNTY REAL
PROPERTY NEEDED FOR THE UNIVERSITY OF MIAMI MILLER
SCHOOL OF MEDICINE'S HOSPITAL PROJECT ON THE SOUTH
SIDE OF THE UNIVERSITY OF MIAMI/JACKSON MEMORIAL
MEDICAL CENTER CAMPUS**

WHEREAS, the University of Miami desires to build a University of Miami Miller School of Medicine's Hospital on real property generally located on the southeast corner of N.W. 15th Street and N.W. 12th Avenue (the "Aggregated Parcel"), and

WHEREAS, the Aggregated Parcel will consist of four separate parcels of real estate, two of which are owned by the University of Miami to wit: Folio Nos. 01-3135-038-0010 and 01-3135-057-0020; and

WHEREAS, two of the parcels are owned by Miami-Dade County and are part of the Public Health Trust's "designated facilities"; and

WHEREAS, one of the County-owned parcels is identified under Folio No. 01-3135-066-0010 and has an Assessed Value of \$4,018,553 of which \$713,514 is the valuation attributed to the land; and

WHEREAS, the University requires only approximately the south 1/3 of the second County-owned parcel; and

WHEREAS, the Folio No. for the second County-owned parcel is 01-3135-058-0020 and has an Assessed Value of \$1,899,679 of which \$1,087,260 of the valuation is attributed to the land; and

WHEREAS, the University requests that the Public Health Trust authorize the President to seek the approval from the Board of County Commissioners for the County Manager to execute a Declaration of Restrictive Covenants in Lieu of Unity of Title.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby directs the President of to seek Board of County Commissioners' authorization for the County Manager to execute a Declaration of Restrictive Covenants in Lieu of Unity of Title needed for the University of Miami Miller School of Medicine's Hospital Project on the south side of the Jackson Memorial Hospital campus.

Agenda Item (6) (b) (31)
Fiscal Affairs, Purchasing & Budget Committee
May 23, 2005

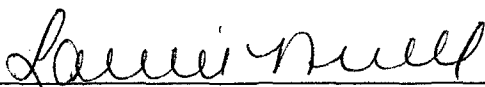
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The foregoing resolution was offered by Mr. Murai. The motion was seconded
by Ms. Nuell as follows:

Michelle Austin, Esq.	Aye
Kate Callahan, Ph.D.	Aye
Rosy Cancela	Absent
John H. Copeland, III	Aye
Ernesto A. de la Fe	Aye
Larry R. Handfield, Esq.	Aye
Walter James Harvey, Esq.	Absent
David Kraslow	Aye
Angel Medina, Jr.	Aye
Andres Murai	Aye
Laurie Nuell	Aye
Carlos Planas	Absent
Kathie Sigler, Ed.D.	Aye
Senator Ronald Silver	Aye

The Chairperson thereupon declared the resolution duly passed and adopted this 23rd day of May 2005.

PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA

BY: 
Laurie Nuell, Secretary

Approved by the County Attorney as to form
and legal sufficiency 